

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

03/18/2013

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
C. McCain
Deputy

STATE OF ARIZONA

JUAN M MARTINEZ

v.

JODI ANN ARIAS (001)

KIRK NURMI
JENNIFER L WILLMOTT

TRIAL MINUTE ENTRY
DAY 39

Courtroom SCT5C

State's Attorney:	Juan Martinez
Defendant's Attorney:	Kirk Nurmi and Jennifer Willmott
Defendant:	Present

Court Reporter, Mike Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

Prior to the start of trial Defendant's Exhibit # 529 is marked for identification.

10:28 a.m. This is the time set for Evidentiary Hearing re: instrumental vs. expressive murder.

Counsel for the Defendant makes an oral motion to vacate the evidentiary hearing and further stipulates to not using the slides subject to the evidentiary hearing.

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LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the court room and on the record.

10:31 a.m. Court stands in recess.

11:01 a.m. Court reconvenes with Defendant and respective Counsel present. Trial to Jury continues from 03/14/2013.

The jury is present.

Dr. Richard Samuels having been previously sworn testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

Exhibit # 529 is offered in evidence. Counsel for the State objects.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Exhibit # 529 is received in evidence

The witness testifies further.

Exhibit # 530 is marked for identification.

The witness testifies further.

Exhibit # 530 is received in evidence.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

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LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

11:25 a.m. The Jury is reminded of the admonition and Court stands in recess until 1:30 p.m.

12:00 p.m. Court convenes in chambers with Defendant and respective counsel present. Also present is Dr. Richard Samuels and Defendant mitigation specialist.

Argument is presented on issues in Dr. Samuels testimony.

IT IS ORDERED taking the matter under advisement.

12:14 p.m. Court stands in recess.

1:28 p.m. Court convenes in chambers with Defendant counsel present.

Discussion is held.

IT IS ORDERED the hearing from 1:28 p.m. to 1:33 p.m. to remain sealed until further order of the Court.

1:33 p.m. In chambers hearing concludes.

1:34 p.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Mike Babicky, is present.

The Jury is not present.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Court and on the record.

1:48 p.m. The Jury is now present.

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The witness testifies further.

Exhibit # 531 is marked for identification.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

2:48 p.m. The Jury is reminded of the admonition and stands in recess. Court remains in session.

Argument is presented on witness testimony issues.

3:14 p.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Mike Babicky, is present.

The Jury is present.

The witness testifies further.

Exhibit # 532 is marked for identification.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

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The witness testifies further.

Exhibit # 533 is marked for identification.

The witness testifies further.

Exhibit # 527 is offered in evidence. Counsel for the Defendant objects.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Exhibit 534 and 535 are marked for identification.

The witness testifies further.

Exhibit 534 is received in evidence.

The witness testifies further.

Exhibit # 536 is marked for identification.

The witness testifies further.

Exhibit # 533 is received in evidence.

The witness testifies further.

Exhibit # 535 is offered in evidence.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Exhibit # 535 is received in evidence.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

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LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

4:30 p.m. The Jury is reminded of the admonition and Court stands in recess until 03/19/2013 at 10:00 a.m.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.